

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OKLAHOMA**

STATE OF OKLAHOMA, *et al.*,)
)
)
Plaintiffs,)
)
)
v.) **Case No. 4:05-cv-00329-GKF-PJC**
)
)
TYSON FOODS, INC., *et al.*,)
)
)
Defendants.)
)

**DEFENDANT TYSON FOODS, INC.’S NOTICE OF WITHDRAWAL OF MOTION TO
COMPEL PRODUCTION OF PEER REVIEW MATERIALS (Dkt # 1851)**

Defendant Tyson Foods, Inc. (“Tyson”) respectfully notifies the Court that the parties have reached an accommodation that postpones the issues presented in Tyson’s Motion to Compel Production of Peer Review Materials (Dkt #1851). Accordingly, Tyson respectfully withdraws that motion. Tyson will re-file the motion at a later date should that become necessary.

Respectfully submitted,

BY: /s/ Jay T. Jorgensen

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CERTIFICATE OF SERVICE

I certify that on the 27th of February, 2009, I electronically transmitted the attached document to the court's electronic filing system, which will send the document to the following ECF registrants:

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I also hereby certify that I served the attached documents by United States Postal Service, proper postage paid, on the following who are not registered participants of the ECF System:

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